

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 APR 22 PM 1:41

ROBERT A. DILLON
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

DANNY EVANS,

Plaintiff,

vs.

GRINDER & HAIZLIP CONSTRUCTION,

Defendant.

No. 04-2790-BV

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held April 21, 2005. Present were pro se plaintiff Danny Evans and Charles Cavagnaro, counsel for defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1): May 5, 2005

JOINING PARTIES: June 30, 2005

AMENDING PLEADINGS: June 30, 2005

INITIAL MOTIONS TO DISMISS: July 29, 2005

COMPLETING ALL DISCOVERY: December 30, 2005

(a) DOCUMENT PRODUCTION: December 30, 2005

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: December 30, 2005

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: September 30, 2005

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(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: October 31, 2005

(3) EXPERT WITNESS DEPOSITIONS: December 30, 2005

FILING DISPOSITIVE MOTIONS: January 31, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for non-jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

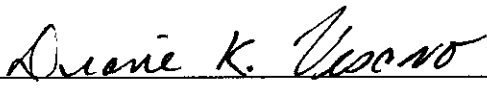
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial

counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE
DATE: April 21, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 10 in case 2:04-CV-02790 was distributed by fax, mail, or direct printing on April 25, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT